

5 AUGUST 1946

I N D E X
Of
WITNESSES

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I N D E X
Of
EXHIBITS
(no exhibits)

Monday, 5 August, 1946

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INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment,
at 0930.

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Appearances:

For the Tribunal, same as before.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

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(English to Japanese and Japanese
to English interpretation was made by the
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session
3 and is ready to hear any matter brought before it.

4 THE PRESIDENT: Does counsel desire to
5 mention any matter?

6 Mr. Logan.

7 MR. LOGAN: If the Tribunal please, for
8 the purpose of the record, I formally move the Tri-
9 bunal at this time, on behalf of all the accused,
10 that the proceedings heretofore had in Chambers and
11 all the proceedings to be held in Chambers hereafter
12 be made part of the record of this case, that a
13 separate volume be kept of such proceedings entitled
14 "Proceedings in Chambers," and that an order be
15 entered to that effect.

16 In the absence of any opposition by the
17 prosecution I ask to defer any argument on this
18 question.

19 THE PRESIDENT: Does the prosecution desire
20 to be heard?

21 MR. DONIHI: No objections to the motion,
22 if it please the Tribunal.

23 THE PRESIDENT: The Court will consider the
24 matter.

25 Mr. Donihi.

NAKAI

REDIRECT

1 MR. DONIHI: I am informed by the Marshal
2 of the Court that the courtroom may be blackened
3 out immediately without difficulty if the Tribunal
4 is desirous of seeing the picture "The Critical
5 Period of Japan" at this time.

6 THE PRESIDENT: We came here expecting to
7 see the picture at 9:30.

8 - - -

9 K I M B E I N A K A I, recalled as a witness on
10 behalf of the prosecution, resumed the stand
11 and testified as follows:

12 REDIRECT EXAMINATION

13 (Whereupon, the film "The Critical
14 Period of Japan" was shown with the Lang-
15 uage Section Chief reading in English the
16 titles and sound track, as follows:)

17 "Let us calmly observe the situation in
18 Asia. Has peace reigned in Asia during the last
19 fifty years?

20 "Have we lived in the peaceful condition
21 which is our ideal?

22 "Have our Asiatic brothers been living in
23 peaceful satisfaction fulfilling their own missions
24 in accordance with the ideal of Asia?

25 "What is the situation in the North, in

1 in Siberia, Mongolia, Tibet and Sinkiang? And what
2 is the situation in China, which ought to be our
3 most intimate friend?

4 "Next, let us look eastward upon the Pacific
5 Ocean. Are the waves of the Pacific really calm?
6 Can we expect the waves of the Pacific of tomorrow
7 to be as calm as they are today?

8 "After considering all this, on whose shoul-
9 ders may we suppose that all of the responsibility
10 of establishing peace in the Orient lies? Written
11 on screen: 'Divine Country, Japan, The Yamato
12 Race.'

13 "I firmly believe that we can never expect
14 to see peace restored in the Orient if we rely upon
15 others.

16 "Our country of Japan, was established by
17 God's will. It is a divine country, the country
18 of Gods.

19 "It is the mission of our race and of our
20 nation to realize the ideals shown to us by our
21 gods. If we, the Yamato race, should refuse to
22 carry out this holy mission of establishing peace
23 in the Orient with our ideals and power, how could
24 we, the Asiatics, ever expect to live in peace which
25 we idealize?

1 "Therefore, the greatest mission for us
2 of the Japanese Race and of the Japanese Nation
3 is that of rising without depending upon others
4 and of shouldering our own responsibilities.

5 "The fact that we have such a great
6 responsibility obliges us Japanese to press forward
7 in this critical period.

8 "This, I believe, is the most important
9 thing which our countrymen must bear in mind in
10 this emergency period.

11 "Thus, a grave and important responsibility
12 is on our shoulders. When we think about its
13 meaning we cannot help being deeply concerned.

14 "For instance, the attitude of the League
15 of Nations which is much discussed today, makes
16 us doubt that they respect our mission or that
17 they fully understand Asia and Japan. Does our
18 friend China realize the desirability of under-
19 standing and cooperating with Japan in fulfilling
20 this great responsibility of the Orient?

21 "Japan has been regarded with contempt.
22 She has been rejected.

23 "Fortunately, we have recently seen a
24 nation-wide revival of the Japanese spirit in
25 our country.

1 "But it is the present condition of our
2 country such as to enable us to rise while bearing
3 the full weight of our responsibilities?

4 "However, we must not come to the rash
5 conclusion that all this is brought about by others'
6 evil intentions and contempt. Before we reach such
7 a conclusion, before we blame others, we do some
8 serious self-examination.

9 "For this reason, my dear country-men, for
10 a few minutes let us consider the historical stages
11 through which our country has gone past in the last
12 few decades.

13 "We, the Japanese people surpass all other
14 peoples of the world in our fervent love for peace
15 and in our respect for justice and honor.

16 "Truly, this is the great spirit of the
17 founding of our Empire and is the fundamental
18 consciousness of our whole race.

19 "The gates of our country were opened
20 in the great reformation at the time of the Meiji
21 restoration, when the true aspect of Japan was re-
22 vealed to the whole world.

23 "Ever since then Japan has been advancing
24 with rapid strides, taking her stand for righteous-
25 ness and with the firm resolution to spare nothing

1 for the sake of peace. And the result is, that in
2 the short period of forty years she has made a sur-
3 prising advance which has amazed the whole world.

4 "However, after a short while the glory
5 of the nation began to decline gradually. What
6 brought this sad but undeniable situation? There
7 may be several reasons, but the most immediate
8 cause is our self-conceit, negligence and forget-
9 fulness of our past history.

10 "The sudden rise of Japan's international
11 position and the growth of national power have made
12 the Japanese people assume an air of vulgar pros-
13 perity both spiritually and in a material sense,
14 completely forgetting their previous exertions and
15 the original ground upon which the Empire stands:

16 "This resulted in an uncriticizing in-
17 fatuation with all things European, and the western
18 culture both good and bad was accepted uncondition-
19 ally. Thus, the independent ideal, characteristic
20 of the Japanese race was swept away in less than
21 no time. It is quite natural that this national
22 stagnation reflected itself in all her foreign
23 policies.

24 (A scene of a pair of man and woman,
25 dancing in a room.)

1 "Woman: 'We have been dancing for quite
2 a long while. I'm all tired out. Let's have tea
3Now shall we go for a walk?

4 "Man: 'What is it -- what are you looking
5 at? You're eyeing a geisha, aren't you?'

6 "The Other Man: 'No, I wasn't. I just
7 thought she looked pretty. The geishas are only
8 the remains of the old Meiji era - I don't care
9 for them.

10 "Man: (in Japanese dress): 'Well,
11 well, we have a couple of hairy Europeans with
12 us, I see!'

13 "Woman: 'Ouch! You're hurting me.
14 Can't you see that, you stupid? Apologize!'

15 "Man: (of the Right Wing): 'I'm
16 sorry. I beg your pardon.' (Curt form of
17 Japanese).

18 "Woman: 'What a way to ask a lady's
19 pardon! Repeat that!'

20 "Man: (Of the Right Wing): 'I'm sorry.
21 I'm really very sorry.'

22 "Woman: 'In the first place this is no
23 place for you to walk!'

24 "Anachronist: 'Apologize more politely.'

25 "Man: 'I am asking your pardon quite

sufficiently.'

1 "Woman: 'Why doesn't one of you say some-
2 thing? Don't you see that a lady is being insulted?'

3 "Man: (Modern looking): 'Hey! Meiji Era!
4 You should apologize to a lady like this.'

5 "Man (of the Right Wing): 'Fool!
6 Listen well to what I say. This is Japan. Even
7 though this is Ginza, it is a part of the Japanese
8 Empire. Understand?'

9 "Bystander (in the Japanese dress):
10 'Well done, good! Good!'

11 "Man: (of the Right Wing): 'Hold your
12 tongue, you sluggard. Such profligates as you
13 poison the nation. Is this the time to fool
14 around in the gay quarters? Fool!'

15 "It is needless to say that the majority
16 of the Japanese have not lost the traditional
17 consciousness of true Japanese, but the ruinous
18 and corruptive condition on the surface were more
19 conspicuous, misleading foreigners to look down
20 upon Japan as a country which could be easily
21 disposed of.

22 "This is the real cause of the Manchurian
23 Incident, and this is also the factor responsible
24 for Japan's solitary position in the world, the
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1 seed of which I do not hesitate to say, was sown
2 by our own hands:
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1 "Then, fortunately, we had a revelation from
2 Heaven which came to us in the form of the Manchurian
3 Incident. The true character of Japan was vividly
4 revealed in the splendid actions of the Imperial troops
5 fighting in extreme cold, or in scorched fields under
6 a burning sun.

7 "And the sight of our fellow countrymen in
8 Manchuria working earnestly and devotedly at the
9 front, with the everlasting spirit of the song which
10 says 'when we go over the seas, corpses down in the
11 deep water; when we go over the mountains, corpses
12 among the thick-growing grass; THE GREATEST HONOR IS
13 TO DIE FOR THE EMPEROR,' this song makes us feel that
14 they are the personification of the guardian gods of
15 Japan.

16 "Inside Japan, also, the real spirit mani-
17 fested itself in nation-wide zeal for the encourage-
18 ment of the soldiers, a story that cannot be told
19 without tears. The patriotic zeal was apparent in
20 the enthusiastic cheers which made soldiers go gladly
21 to the front, leaving their dear ones behind.

22 "Young boys and girls sent letters written
23 in their own blood, all the people, both rich and
24 poor, sent innumerable comforts and large amounts of
25 money to the soldiers.

1 "Relief funds were sent from the remotest
2 corners of Japan and from distant places in America
3 and Europe. This expression of sincerity and patriotism
4 moved us almost to tears.

5 "Then the present incident broke out our
6 people awakened to a realization of the racial spirit.
7 The Japanese people, after a long interval, resumed
8 their consciousness of being Japanese.

9 "When we reflect upon it now, we cannot help
10 thinking that it was really the will of Heaven, a
11 special grace of God.

12 "Girl No. 1: 'Evening papers: Evening
13 Papers: Buy an evening paper?'

14 "Girl No. 2: 'Isn't it terribly cold?'

15 "Girl No. 1: 'But think of the soldiers in
16 Manchuria. It's colder over there!'

17 "Woman: 'We've been dancing a long time --
18 it's late. Let's go home now.'

19 "Man: 'Yes, let's go.'

20 "Girl No. 2: 'It's very late, and as there's
21 no one to buy our papers, come on!'

22 "Girl No. 1: 'Yes, let's go.'

23 "(A passing motor car knocks down Girl No. 1.)

24 "Girl No. 1: 'Oh!'

25 "Woman: 'Oh, Yoko chan!'

1 "Doctor: 'Nothing to worry about. She is
2 not hurt. She has had a shock.'

3 "Yoko: 'Teacher said we must work hard and
4 remember the soldiers in Manchuria. With the pocket
5 money you gave me, I had bought evening papers. I
6 was selling them so that I could earn money to send
7 to our soldiers.'

8 "Mother: 'Then -- you were selling news-
9 papers!'

10 "Child: 'And, Mother, -- the teacher said
11 that those grown up people who have the nerve to dance
12 in days like these are fools --.'

13 "Mother: 'Forgive me, Yoko-chan! Forgive
14 me! Daddy and I will never, never dance again. For-
15 give me!'

16 "However, does this nation-wide zeal have
17 foundations strong enough to support it consistently?
18 Do we not snatch at temporary ease when we obtain a
19 brief rest? Do we not give in easily when we are
20 threatened by others? Does each of us live up to his
21 own firm beliefs, founded upon his own thoughts?

22 "Then I consider these matters carefully,
23 I cannot help being a little worried about the pre-
24 sent situation.

25 "Does each one of our people, our country-

1 men have enough courage and strength within himself
2 to emerge successfully from this difficult situation?
3 "When I think of these things, my heart sinks within
4 me and I am overcome by worry concerning the future
5 of the Empire and the destiny of Japan.

6 "Then, what should we do from now on? How
7 can we survive the critical situation? Let me say
8 a few words on it.

9 "As I said before, the whole world is watch-
10 ing Japan. They want to understand the real Japan.
11 Therefore, what we must do today is to look upon
12 the whole of Asia and to make the true nature of
13 Japan apparent in all of Asia. We must try to main-
14 tain that true nature and to make them understand
15 it.
16

17 "In other words, the only way for Japan to
18 fight her way through this critical situation is for
19 us thoroughly to revive the self-consciousness of
20 our being Japanese, thus regaining the firm belief
21 innate in the Japanese. Now then, what does it mean
22 to have the consciousness of being Japanese? What is
23 the true nature of Japan? It is very clear -- it
24 means that we must go back to the ideals on which
25 our Empire was founded.

"When Japan was first created, what did the

1 Ancestral Goddess say to the God and Goddess, Izanagi
2 and Izauami? She told them to 'transform the semi-
3 liquid elements into a firm and solid nation' and
4 so, the Utopia of Japan was formed after many stren-
5 uous endeavors.

6 "The path for us to tread is clearly shown
7 in the spirit represented by the three Articles of
8 Imperial Regalia given to the Imperial grandson on
9 his descent from Heaven by the Ancestral Goddess.
10 Therefore, our duty is to establish Japan as an ideal
11 country of gods in accordance with this great ideal.
12 ("Written on screen: 'The Ise Shrine' and 'The Kashi-
13 wara Shrine.'")

14 "Of the three Articles of Imperial Regalia,
15 the mirror symbolizes justice and honor, the stone
16 beads, benevolence, and the sword, courage and deci-
17 sion.

18 "The justice, the honor, the benevolence,
19 the courage and the decision represented by the three
20 Articles of Imperial Regalia are the great ideals of
21 our Empire. These are our national virtues which the
22 Emperor himself has set up as his ideals.

23 "Since the Age of Gods, the way of the Em-
24 peror has been truly glorious and shining. That is
25 the so-called Imperial Way, and when we look back

1 upon the glorious history of Japan, we find that this
2 Imperial Way shines through it consistently. To pro-
3 tect this way, to make it more glorious and to advance
4 in this manner should be the only ideal and duty of
5 Japanese subjects. (Written on screen: 'The Atsuta
6 Shrine' and 'The Meiji Shrine'.)

7 "The essence of our national structure lies
8 in the fact that we march onward, holding this ideal
9 aloft with the concord between the sovereign, and the
10 subjects, and with the cooperation of each and all
11 Japanese.

12 "Now the mission of the Japanese is quite
13 clear; there is nothing to doubt in it. Assisting
14 the Imperial rule and enhancing the glory of the
15 Imperial prestige in the world means realization of
16 this mission of ours.

17 "However, we have observed recently that
18 there is a growing tendency among some Japanese to
19 blindly emphasize frivolous impulsiveness and epi-
20 cureanism, completely neglecting the glories of our
21 incomparable national structure and the essence of
22 our racial spirit which should be observed by the
23 whole nation.

24 "As a natural result, the brave and magni-
25 ficient spirit of the millenia of our history is

1 diminishing day by day. ("Written on screen: Russia,
2 China, Philippines, Japan, Manchuria, Scene: Black
3 clouds rising, and enveloping Japan, from Russia
4 and the Philippines.) Furthermore, it is to be great-
5 ly deplored that there are some -- however few they
6 may be -- who, having wrong conceptions, make such
7 outrageous remarks as to curse the incomparable
8 glory of our national structure.

9 "Where is our fatherland? Where is our
10 fatherland Japan? (Appears on screen: Newspapers
11 with articles about Communists.) Oh, my compatriots,
12 it is an unpardonable treason for country-men of
13 ours to say that there is a fatherland besides Japan!
14 Do we deserve to be called Japanese if we throw away
15 our pride of being Japanese, and forget about the
16 spirit of the founding of the Empire which aims at
17 the realization of peace in the Orient, and in the
18 world?

19 "All of the evil springs from this.

20 "Let me repeat that it was, after all, our
21 own fault that the world, including even China, has
22 come to look down upon us with contempt.

23 "That Japan has done in the past, what our
24 countrymen have done in the past, is the cause of the
25 contempt with which Japan is now regarded. The out-

1 break of the Manchurian Incident in the meantime was
2 indeed a warning-bell pealed from the Heavens. We
3 must deeply consider the fact that the siege of Japan
4 conducted by the whole world under the leadership of
5 the League of Nations was disclosed to us in this way.
6 If the Japanese nation has grasped this truth clearly,
7 the way through the present situation will open of
8 itself. The outbreak of the Manchurian Incident was
9 really an alarm-bell telling us to wake up and to
10 examine ourselves.

11 "I am not at all pessimistic about the pre-
12 sent difficult situation, however. I firmly believe
13 that the present international circumstances and the
14 varieties of difficulties that lie between the nations
15 will be immediately dissolved as soon as the great
16 spirit of the founding of the Empire revives in the
17 heart of every Japanese, and when the Japanese, reali-
18 zing this clearly, display the prestige of our country.

19 "The day will come, sooner or later, when
20 we can make the whole world look up to our national
21 virtues, I am sure. (On the screen: In the center of
22 the screen Japan and Manchuria appear, then China,
23 India, Siberia and the South Seas.)

24 "In compliance with the ideal of the found-
25 ing of the Empire which I have explained, we must

1 first of all establish permanent peace in the Orient,
2 propagating our glorious Imperial way there.

3 "Then we reflect upon the situation in Asia
4 during these fifty or sixty years, we find that it
5 was deplorable beyond words.

6 "Just close your eyes and quietly contem-
7 plate the past, then will numerous visions flash
8 through your mind, visions as in a revolving lantern.

9 "Then we think of the chaos in the Orient,
10 we cannot help believing that it is the duty of the
11 Japanese nation, no, the mission of divine Japan, to
12 establish a peaceful Utopia in the Orient making it
13 truly Oriental by suppressing all disorders.

14 "Then we recall the several occasions when
15 we sent our troops to the continent we can always
16 find in the Imperial Rescript on the Declaration of
17 War the expression of a sincere desire to establish
18 permanent peace in Asia.

19 "In the Imperial Rescripts promulgated on the
20 restoration of peace, the Emperor always reminds us
21 of our duty to maintain permanent peace in the Orient.

22 "In these several campaigns for peace, the
23 sacrifice made by our fathers and contemporaries, and
24 the endeavors made by those who actually defended the
25 country were indeed very great. When we think of it,

1 we realize that our responsibility on the continent,
2 Manchukuo, no, in the whole of Asia is not a new
3 one, but that it started a long time ago revealing
4 our power and ideals steadily as time progresses.
5 (On the screen: On the map of East Asia blood
6 splashes appear with the following words superimposed
7 'The sacrifice we made in the Sino-Japanese War.'
8 'The sacrifice we made in the Boxer Uprising.' 'The
9 sacrifice we made in the Russo-Japanese War.' 'The
10 sacrifice we made in the German-Japanese War.' 'The
11 sacrifice we made in our expedition to Siberia.'
12 'The sacrifice we made in the Tsinan Incident.'

13 "During this long period, we have encounter-
14 ed all kinds of insults and of national crises. We
15 have suffered under the Intervention of the Three
16 Powers, and we have sacrificed much in Siberia.

17 "We have endeavoured to realize our ideal,
18 with the cooperation of China, but peace has not
19 been established there, even for a short period of a
20 single year during the twenty years since the estab-
21 lishment of the Chinese Republic. The Chinese feel-
22 ing towards Japan changed from bad to worse, that is,
23 the feeling of rejecting the Japanese changed to a
24 feeling of opposing the Japanese, and eventually be-
25 came a contempt of the Japanese. And finally the

1 Manchurian Incident broke out by a revelation of
2 Heaven. (On the screen: Various anti-Japanese pos-
3 ters and placards in China.)

4 "Thus the Manchurian Empire was founded, as
5 you all know, and the blessed land of beauty and
6 light is to be realized in Asia.

7 "Japan and Manchukuo will work together,
8 and with the cooperation of Korea, will first of all
9 establish peace in the Orient. The first step toward
10 propagating the Imperial way and toward adding lustre
11 to the national virtue has already been made. Japan
12 and Manchukuo's firm faith in the establishment of
13 Manchukuo will remove all difficult situations and
14 will secure the permanent peace in Asia. For the
15 Japanese, it will be the best way to enhance the
16 Imperial way, and for the Manchurians, it will be the
17 best way to establish a paradise in Manchukuo, the
18 land of felicity, in accordance with the spirit of
19 the way of sovereign, which is their ideal. (On the
20 screen: A map of Japan and Manchukuo.)

21 "Therefore, I desire that all races will
22 cooperate with each other in realizing their ideals
23 and fulfilling their missions.

24 "I have related so far, the meaning of Japan
25 in the emergency and of the self-consciousness of the

1 Japanese in making our way through this period,
2 thereby emphasizing the necessity of strenuous ef-
3 forts towards the fulfillment of our mission.

4 "Furthermore, the mission of the Imperial
5 army is not of an easy nature, since it lies in pro-
6 tecting the Imperial way which unifies and harmonizes
7 the true spirit of the founding of the Empire and
8 the great ideal of the Japanese nation. We must ex-
9 pect to find many obstacles in our way.

10 "However, in order to remove all these ob-
11 stacles, that is, to fulfill our mission completely,
12 we must possess a righteous will and power. In order
13 to fulfill the true meaning of the establishment of
14 the army and the mission of our country, we need
15 national defense, and for national defense, the exis-
16 tence of the Imperial army is imperative.

17 "Therefore, I would like to say a few words
18 concerning the national defense and the Imperial army.
19 To explain national defense in a few words, I say
20 that it is the defensive abilities of a country, that
21 is, the defense of the way of the nation. (On the
22 screen: What is National Defense? 1. Defense of
23 Country, 2. Defense of the Way of the Country, 3.
24 Defense of the Way of Japan, 4. Defense of the Imper-
25 ial Way.)

1 "A country or nation has its own way. The
2 way of our country is the way of Japan, the way of
3 the Emperor, the Imperial way.

4 "Consequently, as this is the nation and
5 way which has everlasting life, it is in its nature
6 to continue permanently and eternally in time and to
7 progress and develop endlessly in space. I would not
8 adopt such a narrow viewpoint that interprets the
9 defense of the nation that is, the defense of the way
10 of the country in terms of geographic position and
11 environment. (On the screen: 'The Imperial Way.
12 To defend this is the mission of the Imperial Army --
13 1. In space. 2. In time. 3. Enlargement and deve-
14 lopment. 4. Eternity and continuity.')

15 "Japanese national anthem being played.

16 "Therefore, when we say that the existence
17 of the Army is a moral existence, we mean it in the
18 above mentioned sense.

19 "As our country is destined to develop in
20 space, that is, as it has the spirit of continual
21 prosperity, with the eternity of a nation which is
22 bounded only by Heaven and earth, our national defense
23 cannot be considered only in terms of geography or in
24 a narrow sense of opposition to other countries.

25 "We cannot think separately of the Imperial

1 household, nation or of the subjects, because Japan
2 is the country whose national structure consists in
3 the combination of all three.

4 "In our country, those who stand as the
5 shield of our gracious Emperor, observing the spirit
6 of national structure, and without any concern about
7 their own interests are naturally those who deeply
8 respect and defend the race and the country.

9 "In short, the army of our country is the
10 Emperor's army which is at the same time the national
11 army.

12 "Therefore, I consider the army as the es-
13 sence of the national virtues.

14 "To tread on the path of the Emperor which
15 is made apparent by the three Articles of the Imperial
16 Regalia is the spirit with which our army is organized.
17 That is, the spirit of the Japanese forces is realized
18 when they enhance the national virtues, the ideals of
19 the Emperor in compliance with the spirit of the
20 sacred Emperor who commands them.

21 "This is the reason why the Japanese army
22 never starts an act on unless being commanded by the
23 Emperor.

24 "We must first clearly bear in our mind that
25 to take actions obeying the Emperor's command is the

1 true spirit of the Japanese army.

2 "It is, of course, expected of the army to
3 fight against those who oppose us in spreading the
4 Imperial way. But, the purpose of fighting is sole-
5 ly to observe virtue and to carry it out. Naturally,
6 it is necessary to win, but if the victory should be
7 accompanied by the resentment of the people conquer-
8 ed, it is quite adverse to the spirit of the Imperial
9 army.

10 "If our troops are stationed in a certain
11 place, they must try to be adored by the natives of
12 the place. That is the true spirit of the Imperial
13 Army, through which the glory of our nation will be
14 enhanced.

15 "Even during maneuvers, if the crops are
16 damaged by the actions of the army, it is an important
17 thing for the army to take care to make as much amends
18 as possible during recess or on other occasions, for
19 the crops are the treasure of the Emperor and the
20 peasant's - our compatriot's - works of art.
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1 "Now, I should like to say a few words
2 about the origin and the history of the Imperial
3 army.

4 "When our country was established, our
5 army was composed of 8,000,000 "Gods of War"
6 /'gunshin'/, that is to say, the people who
7 guarded our divine land, under the personal com-
8 mand of the Emperor.

9 "In the middle ages, however, the warriors
10 constituted a specially privileged class, with
11 the result that a feudal age was ushered in.

12 "Fortunately, however, with the achieve-
13 ment of the great undertakings of the MEIJI
14 Restoration, the Imperial Rescript on Military
15 conscription was issued in November 1872, (the
16 5th year of MEIJI) whereby the basic principle
17 of universal military conscription was revised
18 as of yore.

19 "This was indeed the greatest reform of
20 the past thousand years.

21 "In short, we returned to the normal
22 path of the time of our country's establishment.
23 The privileged and professional troops were abol-
24 ished, the four social classes made equal, soldiers
25 and farmers combined, and at the same time the

1 responsibility for the national defense was put
2 upon the whole of the people, and the troops were
3 placed under the personal command of the Emperor
4 as was the case in ancient times.

5 "Thus our Army and Navy, reflecting
6 upon the basis of the foundation of our country
7 and striving at the same time to train their
8 soldier spirit by upholding the will of Heaven,
9 have remembered the glorious military merits and
10 distinguished services of the past 60 years, and
11 have endeavored to fulfill their heavy respon-
12 sibility as a moral existence in order to achieve
13 the mission of the Imperial forces.

14 "Reflecting upon the past and also con-
15 sidering the present general state of national
16 defense, I wish to dwell here a little upon the
17 subject of national general mobilization.

18 "In both the Sino-Japanese War and the
19 Russo-Japanese War, Japan, it is needless to say,
20 fought by staking the country's existence, but
21 the principal body which displayed the strength
22 of national defense was the military forces.
23 The people as a whole were neither organized nor
24 displayed, in the direct prosecution of the holy
25 war, such activities as they do today under national

1 general mobilization.

2 "Judging from recent circumstances, pre-
3 parations for nationwide general mobilization are
4 necessary for concentrating the utmost national
5 defense power of the country.

6 "It would require many hours to describe
7 in detail this nationwide general mobilization,
8 but, in short, it is the mobilization of all the
9 powers of a nation, both tangible and intangible.

10 "There is no change in the fact that the
11 battle in the main is fought by troops, but we
12 can easily imagine that the strength or weakness
13 of the spiritual power of the people ultimately
14 determines the issue of war, as may be seen from
15 the internal conditions of Germany, Russia, and
16 other countries at the time of the European War.

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MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Continue with the picture.

"Addressing the Japanese after the Russo-Japanese War, the London Times said:

'The victory you won in the recent Russo-Japanese War, is indeed due to the spiritual union of the Japanese.

'O Japan! I cannot but hope that you would preserve this noble spirit and immortalize this strength and this ideal by all means, even if you should lose all of your material things.

'If the whole of the Japanese people should make the most of this spiritual element and become united on this basis, not only Russia but the whole world would not be able to conquer Japan.'"

That is the end of the quotation from the London Times.

"And now, in discussing here national defense, in thinking of the Imperial forces, and in considering armament, I keenly feel how essential this manpower is and above all how essential the spiritual element is.

"Not only from our own viewpoint as Japanese looking at it in a favorable light, but also

1 from the standpoint of foreign countries, Japan has
2 her strong points, a spirit of her own and a road of
3 life to proceed on.

4 "Lastly, I want to state briefly regarding
5 armaments. It goes without saying that armament is
6 necessary, but it rests primarily on manpower, and man-
7 power rests first of all on its spiritual element.
8 However, judging from the actual scene on the front,
9 it cannot be thought that victory can be achieved by
10 manpower and by the spiritual element alone.

11 "In order to make the best of manpower and
12 spiritual element so as to minimize the disasters and
13 to restore peace quickly, material equipment is neces-
14 sary.

15 "It is primarily for this purpose of making
16 the most of the noble Japanese Spirit and the whole
17 ideal of the Imperial forces that we are taking such
18 great pains in regard to equipment.

19 "I hope, you will understand that national
20 defense is the means of protecting Japan's way, that
21 the Imperial forces are here to exalt the virtues of
22 the Emperor by obeying His Majesty's commands as they
23 are given, and that armaments constitute an essential
24 element in /fostering/ in the most direct manner their
25 moral activities with the least amount of disaster.

1 actual scene of drills executed by the students of
2 the Infantry Schools and the Cavalry School on the
3 Narashino plain, Chiba Prefecture."

4 There are no speeches in this part by War
5 Minister ARAKI.

6 "Finally, I want to appeal to my compatriots
7 whom I love and respect, to urge them to make up
8 their minds. An ancient sage taught us, 'When Heaven
9 is going to entrust a person with an important duty,
10 He always inflicts pain and hardship upon him, in
11 order to determine whether he is capable of carrying
12 out his mission.'

13 "Also, as you know, there is another pro-
14 verb: 'Adversity makes a man wise.' That is to say,
15 man cannot achieve a great thing without grappling
16 with difficulties. The more the difficulties there
17 are, the greater are the pleasures one can enjoy after
18 the success.

19 "As I said before, the true spirit of the
20 Japanese race lies in finding order amid chaos and in
21 realizing an ideal world. In other words, our racial
22 spirit from ancient times is to make, with strenuous
23 efforts, an ideal world, a peaceful land through hard-
24 ships and difficulties. Therefore, the Japanese can-
25 not live in Japan with feeble feelings. To fight to

1 the last is the way of a true Japanese. So, although
2 our morals are to practice the way of justice and
3 benevolence, it is necessary for us to have courage,
4 as strong as a sword, to practice it, to carry it
5 out resolutely at all costs. It is necessary for us
6 to have the spirit, enthusiasm and endurance to stand
7 up defiantly and fight to the last, if there is any-
8 one who interferes with us.

9 "Compatriots! Let us look at the situation
10 in Asia. Is it to be left unamended forever? In
11 order to realize the ideal of our Asiatic races and
12 to contribute to world peace, we must first estab-
13 lish Manchukuo. We must cooperate in the establish-
14 ment of that country and must exert ourselves in as-
15 sisting a sound development of the country, so as to
16 realize a realm of peace and prosperity in Manchuria.
17 Today, Manchuria is called the life-line of our coun-
18 try, but it is not a life-line to satisfy more appe-
19 tites for food. Our supreme mission is, I believe,
20 to make a paradise there, by realizing the noble spirit
21 of the Japanese race, and of the Japanese nation as
22 well as the spiritual culture of Asia.

23 "So, we must look, we ought to look upon
24 Manchuria as a moral life-line. In short, in view
25 of the present world situation, I believe there is a

1 necessity to make the Oriental spirit, Oriental cul-
2 ture, Oriental morals known to the world at any cost,
3 and thereby to make the world recognize clearly that
4 the East exists. For this purpose, Japan for her-
5 self must realize a state, at the head of others, es-
6 tablished by the Japanese spirit, Japanese morals,
7 Japanese culture which represent the whole Orient.
8 In other words, I believe Japan must do her utmost
9 to manifest her true character, to develop her power
10 to take the lead, to cultivate her moral character,
11 in the manifestation of the moral principles. In
12 short, although the world situation is grave, we do
13 not feel discouraged. Today's pain is tomorrow's
14 success. It is the pain of mountain-climbing. It
15 is the pain of an owner of a little shop in a back
16 street struggling to make his way to the main street.
17 Indeed, I believe it is the great challenge granted
18 our nation to take a bold leap, a trial on our way
19 to the glorious future. There is great pleasure after
20 great pain. I think that it is adverse fortune which
21 makes a country great.

22 "Now, Japan, like Mt. Fuji towering abrupt-
23 ly in the sky above the morning mist, is making a
24 display of her magnificent being before the whole
25 world. It is precisely the true figure of the Japan-

1 ese Empire. I feel that fresh pride, emotion,
2 courage and pleasure rise up within me when, inspired
3 by that figure, the singular racial spirit is re-
4 vived in myself and I make up my mind to exalt the
5 virtue of the divine country.

6 "We are now standing at a critical junc-
7 ture. This crisis is a trial sent by Heaven. The
8 Emperor Meiji's ode states, 'The courage of the Yamato
9 spirit will reveal itself in cases of emergency.'"

10 That is also written on the screen.

11 "How reassuring we feel when we encounter
12 the numerous instances of our people enhancing their
13 true spirit since the outbreak of the Manchurian In-
14 cident.

15 "My compatriots whom I love and honor, I
16 beseech you to revive in your hearts the courageous,
17 beautiful, and clear spirit which has been handed
18 down to us from the time of the establishment of our
19 country, and embracing this spirit, let us show to
20 the world the spirit of striving onward which is the
21 characteristics of the Japanese race. In order to
22 realize a land of peace and a utopia, we must have
23 sincerity, ardour and perseverance as well as pro-
24 found self-realization.

25 "We military men must always bear in mind

1 the spirit of the Imperial poem of the Emperor Meiji
2 which goes as follows: 'There is one who pierced an
3 iron target, there is nothing which cannot be pene-
4 trated by the spirit of Yamato'. And with this spirit
5 held sacred in our hearts, we are determined to serve
6 the Emperor with an iron will through this crisis."

7 On the screen is repeated the poem just
8 mentioned.

9 "Firends! The Emperor Meiji also says in
10 his Imperial ode, 'If we concentrate all the efforts
11 of the thousands and millions of our subjects, I am
12 sure there is nothing which cannot be done'".

13 And that is also written on the screen,
14 eventually.

15 "It is needless to say, that without waiting
16 for the London Times advice, we must strive onwards
17 with decisive steps, the whole nation united with
18 this one spirit. Then the eastern sky will be flood-
19 ed with celestial light, and the future destiny of
20 Japan, nay of the whole Asia, will be gloriously deve-
21 loped before us, and I firmly believe that with Europe
22 and the United States, we can bring about the ever-
23 lasting peace in the whole world.

24 "I will end my speech fervently beseeching
25 all of you to strive onwards united, and with perse

1 verence, enthusiasm and sincerity. (On the screen:

2 'Light comes from the East.'

3 'Light comes from the East.'"

4 Repeated several times.

5 THE END.

6 THE PRESIDENT: Mr. McManus.

7 MR. McMANUS: I should like to call to the
8 Court's attention that the picture started at reel
9 two. Reel one was not shown. Some Members of the
10 Tribunal saw reel one. I don't know whether you all
11 seen it or not, but I would just like that noted
12 and called to your Honor's attention.

13 THE PRESIDENT: Attempt was made to show us
14 reel one, but it failed. I don't think any of us
15 observed anything except some shadows on the screen.
16 Perhaps you are suggesting that all Members of the
17 Tribunal have not seen or heard all of the evidence.
18 I do not share that view. At this stage there is
19 no desire to see reel one.

20 Mr. Donihi.

21 MR. DONIHI: The defense may take the
22 witness.

23 MR. SUGAWARA: I am SUGAWARA, Yutaka, counsel
24 for the defendant IRAKI. Before proceeding to my
25 cross-examination, I should like to bring to the

1 Court's attention what it would mean to omit reel
2 one of this present picture. I would like to say
3 that reel one presents the introductory remarks
4 of the producer of the picture, and because of
5 the fact that these introductory remarks have been
6 omitted it is not known who made or who produced
7 this picture. I feel that this omission is quite
8 unfortunate, but that is not here nor there now,
9 and therefore I shall proceed with my cross-examina-
10 tion.
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RECROSS-EXAMINATION

1 BY MR. SUGAWARA:

2 Q Now, Mr. Witness, was this picture made by
3 the Mainichi Shimbun?
4

5 A Yes.

6 Q Is it a picture made by the Mainichi Shimbun
7 as a means of propaganda based upon the speech -- one
8 of the speeches of General ARAKI?9 A This picture was produced in the year 1933.
10 Not having been associated with the production, I am
11 not acquainted with the details. However, as I under-
12 stand, a recording was first made of War Minister
13 ARAKI's speech and the picture was produced later as
14 a picturization of his speech.15 Q In consequence, the Mainichi Shimbun is solely
16 responsible for the production and the story of the
17 picture, and ARAKI only offered his speech; isn't that
18 the case?19 A Yes. But as the interpretation of the pic-
20 ture was given by War Minister ARAKI and since the
21 picture was previewed before him as well as by the
22 leaders of the War Ministry before it was made public,
23 I am sure that War Minister ARAKI and other War Ministry
24 leaders approved of and affirmed this picture.

25 Q I am not asking you, Mr. Witness, your opinion.

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1 I just wanted to know the background of the production
2 of this picture. It seems to us outsiders that General
3 ARAKI -- it seems as though General ARAKI is responsible
4 for the production of the picture because he is
5 constantly shown in the picture while he is making a
6 speech.

7 THE PRESIDENT: That is a statement.

8 MR. SUGAWARA: But I should imagine that the
9 Tribunal knows that ARAKI is not responsible for the
10 production of the picture.

11 A In the title of the first reel of this picture
12 it is shown that the press section of the War Ministry
13 supervised the production of the picture and, there-
14 fore, naturally this production is the responsibility
15 of the War Office.

16 Q Although it was not shown during the repre-
17 sentation, Mr. KIDO, Genryo, the Chairman of the Board
18 of Directors of the Mainichi Shimbun, gave a speech at
19 the very outset of the picture.

20 THE MONITOR: Recommending this picture to
21 the public.

22 Q (Continuing) And the War Ministry also gave
23 a letter of recommendation to that picture. Now, Mr.
24 Witness, don't try to define the question of respon-
25 sibility yourself, but only try to answer to my

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RE CROSS

1 questions. Are you aware of the fact that this picture
2 was produced immediately after Japan's cessation from
3 the League of Nations?

4 A Yes.

5 Q In those days Asia was in complete chaos. The
6 Manchurian Incident developed into a real war. The
7 League of Nations did not recognize this factor and
8 sent in a report to that effect.

9 THE MONITOR: And moreover, Japanese people
10 at home were--

11 Q (Continuing) -- Were uselessly excited over
12 that situation and forgot to reflect upon themselves.

13 THE MONITOR: Is the witness aware of this
14 fact?

15 THE PRESIDENT: You are not entitled to
16 address the Court under the guise of a question. It
17 is not for you to tell the witness what the facts are
18 or may be, but merely to ask him questions and to
19 assume nothing about the facts except so far as they
20 are already indicated.

21 To prevent that kind of thing for all time, I
22 will direct the witness not to answer that question.
23 But you will be at liberty to put other questions.

24 Q The War Minister ARAKI urged the nation to
25 retrospect concerning that state of affairs. What do

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1 you think of that?

2 THE MONITOR: Correction: I believe that War
3 Minister ARAKI made a statement urging the people to
4 reflect upon themselves. What do you think of that?

5 A Yes. But at the same time, General ARAKI at
6 that time wanted to lift the sagging spirit of the
7 nation. However, at the same time he regarded the Man-
8 churian Incident as a God-given opportunity, and in
9 that manner gave this incident a sort of mystic inter-
10 pretation. He further said that it was up to Japan to
11 secure peace in the Orient, and that for this purpose
12 Japan must reinforce its national defense and increase
13 its military preparations.

14 Q Wait a minute, Mr. Witness, I will ask you
15 other questions.

16 I can see from that picture that ARAKI sought
17 the basis for retrospection of the people in the
18 history.

19 THE PRESIDENT: You are not at liberty to
20 tell the witness how you view the picture. You may
21 suggest to him that he views it in a certain way or
22 you may ask him whether he does so. But do not tell him
23 what your knowledge or your beliefs are, or what view
24 you take about anything. Just ascertain from him what
25 are his.

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1 Q Could I have your answer to my last question?

2 A Yes. I think it is as you have stated.

3 Q The history of Japan is based on justice, and
4 this is also clearly shown in this picture, is it not?

5 THE PRESIDENT: Well now, I cannot allow you
6 to put questions that way. I make every allowance for
7 Japanese counsel. I am most anxious to assist them.
8 But they must observe the ordinary rules. No waiver
9 of the rules of evidence would warrant counsel in stat-
10 ing what they think are the facts. The facts must be
11 given by the witness and not stated by counsel.

12 MR. SUGAWARA: Your Honor, I am not stating
13 my opinion. I am merely trying to get the opinion of
14 the witness; that is, the most important impressions
15 that the witness has got from this picture. And I am
16 only trying to assist him in doing so.

17 THE PRESIDENT: I think you will succeed if
18 you put your form of question at the beginning and not
19 at the end.

20 Q Mr. Witness, you stated -- you used the words
21 "aggressive" and "conquest" in speaking about the
22 picture. To which scene of the picture do you refer
23 to?

24 A In the ninth reel of the picture, General
25 ARAKI in the picture quotes from the London Times

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1 editorial and states that even if Japan loses all her
2 material possessions, still if she had her spiritual
3 unity Japan could never be conquered; and further, that
4 if Japan proceeded with this spiritual unity of the
5 people the Japanese people had nothing to fear. In
6 the picture there appears a chart showing the number
7 of military planes possessed by the world powers. In
8 the column representing Japan's air power, the figure
9 given is 600 planes. But this picture also shows that
10 if the Japanese spirit is demonstrated to the fullest,
11 it shows the picture where Japanese planes sweep away
12 the planes belonging to the other military powers.
13 Was it not an addition made by the scenario writer,
14 and the producer himself is not responsible for it,
15 is he?

16 THE MONITOR: Correction: The speaker himself
17 is not responsible, is he?

18 A Yes. But the Ministry of War nor General
19 ARAKI has shown no opposition to this picture.

20 Q The statement to the effect that 600 planes
21 of Japan should sweep away all the planes in the whole
22 world was used just as an example of spiritual power,
23 wasn't it?

24 THE MONITOR: Correction: The fact that 600
25 planes were used in the act of sweeping all the planes

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1 of other powers away, was it not used as a sort of
2 allegory or symbol although the speech by the War
3 Minister does not refer to the 600 planes?

4 Q (Continuing) One of the missions of the
5 Japanese Army is to protect the way of the country or
6 the virtue of the nation. Didn't you get that impres-
7 sion strongly?

8 A Yes, I did.

9 THE PRESIDENT: Counsel, you are asking the
10 witness for his opinion, you know, of these things. I
11 do not think he should be asked to give it. If you
12 objected to his giving his opinion we very likely
13 would uphold your objection. But you are asking for
14 his opinion and you are getting adverse replies.

15 This is a matter upon which we need no expert
16 assistance. It is for us to interpret that picture,
17 subject, of course, to any special features of a
18 technical character being explained by evidence.

19 Q Lastly, Mr. Witness, were you not strongly
20 impressed by the last portion of the speech, in which
21 he says that the world peace should be brought about
22 through a close cooperation with the United States and
23 Europe.

24 THE MONITOR: Correction: "Genuine world
25 peace" instead of just "world peace."

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20 impressed by the last portion of the speech, in which
21 he says that the world peace should be brought about
22 through a close cooperation with the United States and
23 Europe.

24 THE MONITOR: Correction: "Genuine world
25 peace" instead of just "world peace."

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1 THE PRESIDENT: The witness' opinion upon
2 that is of no value whatever to this Tribunal, which
3 must form its own estimate from the words used by
4 General ARAKI. However, it is not for the Tribunal to
5 take objections; but they can tell you what they think.

6 MR. SUGAWARA: I just wanted to ask the wit-
7 ness by what part of the picture he was most strongly
8 impressed.

9 THE PRESIDENT: No, we cannot -- well, there
10 is no objection taken to it. But I assure you that
11 the answer will not help us.

12 Q What do you think is the most important
13 point which the speaker in the picture wanted to
14 expound?

15 THE PRESIDENT: There, again, the answer will
16 not help. That speech has no technical features. If
17 it has, will you suggest them to the witness? The
18 Tribunal is quite capable of putting its own construc-
19 tion on the words attributed in that picture to General
20 ARAKI.

21 MR. SUGAWARA: Counsel merely wished to ask
22 the witness with reference to his reference to the
23 London Times editorial. But what I wished foremost to
24 draw from the witness was what he thought to be the
25 purpose for the existence of the Japanese Imperial

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1 Army. As the picture itself explained, the army should
2 not get the contempt of the people but should be loved
3 by the people at large, whether of Japan or other
4 countries, and such scenes as the soldiers helping the
5 farmer out in his field have been shown. That is all
6 that this counsel wanted to ask of the witness, what
7 his impressions were of these points which I feel to be
8 the main points which I think General ARAKI tried to
9 expound upon.

10 Q My last question would be this: What is your
11 impression, Mr. Witness, of what I have just told the
12 President of the Court?

13 THE PRESIDENT: Now, that question must not
14 be answered.

15 This is a convenient break. We will recess
16 now until half past one.

17 (Whereupon, at 1200, a recess was
18 taken.)
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AFTERNOON SESSION

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MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Is there any further cross-examination?

Captain Kleiman.

CAPTAIN KLEIMAN: This, may it please the Tribunal, is in connection with the direct testimony given by this witness some time previously. Just two questions.

- - -

K I M B E I N A K A I, recalled as a witness on behalf of the prosecution, resumed the stand and testified as follows:

RECROSS-EXAMINATION.

BY CAPTAIN KLEIMAN:

Q Mr. Witness, isn't it a fact that after 1938 until December 8, 1931 there was an average of thirty-five hundred American films imported and shown in Japan?

A I do not remember the accurate number. However, approximately, the number was that.

Q And isn't it a fact that following the China Incident in 1937, motion picture personnel and equip-

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1 ment were used in taking war pictures for the mili-
2 tary forces?

3 A It is a fact.

4 Q Isn't that one of the main reasons why there
5 was a decrease of Japanese non-propaganda films after
6 the year 1938?

7 A I cannot grasp the meaning of the question.

8 THE PRESIDENT: Just repeat it.

9 Q Following the China Incident in 1937, you
10 advise us that many of the picture personnel and
11 much of the equipment was used in the taking of war
12 films for the military forces. You also advise us
13 that there had been a decrease of Japanese non-
14 propaganda production after the law that you testi-
15 fied about. Wasn't one of the main reasons for the
16 decrease of non-propaganda Japanese pictures the
17 fact that motion picture personnel and equipment
18 were used in the taking of films for the military
19 forces?

20 A I cannot say that that was the direct
21 reason.

22 THE MONITOR: It is not necessarily so.

23 CAPTAIN KLEIMAN: No further cross-exami-
24 nation, may it please your Honor.

25 THE PRESIDENT: Any further cross-

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1 examination?

2 MR. LOGAN: That is all.

3 (Whereupon, the witness was
4 excused.)

5 - - -

6 THE PRESIDENT: Mr. Donihi.

7 MR. DONIHI: The prosecution will not
8 examine the witness further.

9 At this time Mr. Parkinson will present
10 some matters to the Tribunal.

11 MR. PARKINSON: If the Tribunal please, the
12 request which I am about to present I wish to state
13 to the defense is slightly different than I had dis-
14 cussed with them resulting from a discussion with
15 Mr. Keenan in the last few moments.

16 It was intended that the next witness called
17 by the prosecution should testify in each of three
18 phases as each phase presented itself. We now ask
19 if it is agreeable to this Tribunal that that witness,
20 while on the stand, be enabled to testify as to each
21 of the three phases for which he was brought here.

22 THE PRESIDENT: You want to avoid calling
23 him three times?

24 MR. PARKINSON: Yes, sir. It is intended to
25 examine this witness, Mr. Powell, in reference to the

1 Manchurian Incident, thus concluding that phase --

2 THE PRESIDENT: With calling him once, you
3 want to give his evidence in three compartments?

4 MR. PARKINSON: If I understood your
5 Honor correctly, that would be true. In connection
6 with that, we were desirous of having Mr. McKenzie
7 conduct a direct examination with relation to the
8 Manchurian phase followed by a cross-examination --

9 THE PRESIDENT: Then, having completed one
10 phase, he would immediately go on with the next?

11 MR. PARKINSON: Yes, sir, under examina-
12 tion by --

13 THE PRESIDENT: What does the defense say
14 about that?

15 Mr. Logan.

16 MR. LOGAN: If it please the Tribunal, this
17 has come to us rather unexpectedly, but it has been
18 our contention right along, and the prosecution has
19 seriously objected to it, and that is, when a witness
20 is put on the stand, his examination on direct, his
21 information with respect to all the facts of the
22 case should be clearly stated and exhausted on direct
23 examination.

24 THE PRESIDENT: Well, to shorten the matter,
25 do you object to three direct examinations, or do

1 you ask for one only?

2 MR. LOGAN: With respect to this particular
3 witness, your Honor, we must object; we've only re-
4 ceived one of his affidavits. And with respect to
5 the proposition of law which I have just stated, I
6 am one hundred percent in favor of that, but I have
7 to take it up with some of my colleagues to find out
8 how the group as a whole would feel on that propo-
9 sition.

10 The theory behind it is this, your Honor:
11 That, if this man takes the stand and testifies to
12 one phase, and they intend to use him on other
13 phases, it may very well be that on cross-examina-
14 tion the second and third phase may come into the
15 cross-examination, and it certainly won't be condu-
16 cive to good, orderly procedure for the prosecution
17 to so proceed in this case.

18 THE PRESIDENT: It could not be more
19 mixed than it would be if there was only one direct
20 examination.

21 MR. LOGAN: Well, I don't know of any
22 courts, your Honor, that would permit a witness to
23 be called three times and permit three direct examin-
24 ations and three cross-examinations without special
25 leave of the Court under special circumstances.

1 THE PRESIDENT: I have never known a Court
2 to allow it. But, on the other hand, I have never
3 known a Court to be faced with a situation like
4 this, nor you.

5 I think we have had enough argument. I
6 think we can all appreciate the difficulties that
7 may arise from one course or the other. The Court,
8 by a majority, thinks that there should be three
9 directs or that you should be allowed to examine him
10 in three direct examinations in succession, each
11 direct examination to be followed by cross-examina-
12 tion and reexamination.

13 Dr. KIYOSE, what do you want to speak
14 about?

15 DR. KIYOSE: What do you mean by the three
16 phases, please?

17 MR. PARKINSON: In this case, if the Court
18 please, there is the Manchurian phase, there is that
19 phase dealing with military aggression in China, and
20 that phase dealing with the treatment of civilian
21 internees and prisoners of war.

22 DR. KIYOSE: I understand the intention of
23 the prosecution as far as the phase of the Manchur-
24 ian Incident is concerned. However, we haven't
25 heard yet the intention of the prosecution as to the

1 phase of the China Incident and that of the treat-
2 ment of civilians in China. It would be much better
3 for us if they could tell us beforehand what their
4 intentions are concerning those two phases.

5 THE MONITOR: Correction: "Their intention"
6 should be corrected to "what the witness is going to
7 testify." We do know about what he is going to
8 testify about in regard to Manchuria, but we do not
9 know what he is going to testify to in regard to
10 China aggression and the treatment. Therefore, it
11 would be more helpful if we knew what he will tes-
12 tify, then for the Court to start taking evidence.

13 MR. PARKINSON: If your Honor please, it was
14 intended at this moment that Colonel Morrow proceed
15 with his opening remarks on the China phase immedi-
16 ately followed by the calling of Mr. Powell, the
17 witness.

18 THE PRESIDENT: Major Furness.

19 MR. FURNESS: If the Court please, if there
20 are to be three separate direct examinations and
21 three cross-examinations, the defense doesn't see
22 why those should not come up while the phase under
23 proof to which they relate is being proved.

24 THE PRESIDENT: The decision stands. I am
25 not going to debate it with you, Major Furness.

1 MR. FURNESS: I didn't understand that it
2 was the decision that they all three go on at once.

3 THE PRESIDENT: Yes, I said so.

4 MR. FURNESS: I think there may be --

5 THE PRESIDENT: You cannot debate it. I
6 won't allow you to say another word with respect to
7 that decision.

8 Colonel Morrow.

9 COLONEL MORROW: If the Court please, the
10 subject I am concerned with is "All China Military
11 Aggression.

12 "The subject which my associates and I will
13 present covers military aggression in all China,
14 except Manchuria, consisting in planned warlike
15 attack and invasion for conquest and plunder by
16 means of modern armies, naval and air forces.

17 "The evidence which we shall present will
18 show the following:"

19 THE PRESIDENT: Just a moment, Colonel
20 Morrow. Aren't you going to finish the Manchurian
21 phase first?

22 COLONEL MORROW: I understand --

23 THE PRESIDENT: Please. You will mix up
24 the record if you do more than it need be.

25 MR. MCKENZIE: If the Tribunal please, I

1 desire to call as a witness John B. Powell.

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1 J O H N B. P O W E L L , called as a witness
2 on behalf of the prosecution, being first duly
3 sworn, testified as follows:

DIRECT EXAMINATION

BY MR. McKENZIE:

Q Will you state your full name, please?

7 A My name is John B. Powell, P-o-w-e-l-l,
8 Powell.

Q Where do you live?

10 A I am a native of the State of Missouri, but
11 I now live in New York.

Q Have you ever lived in China?

13 A I lived in China, in Shanghai, from 1917,
14 almost continuously, until about May, 1942, following
15 Pearl Harbor.

Q What was your business there?

17 A I was engaged throughout the period in news-
18 paper editorial work and in correspondence work for
19 American and British newspapers.

Q Have you ever been in Manchuria?

21 A Yes, in the course of newspaper work, I
22 made several trips to Manchuria. My first trip to
23 Manchuria was with a Congressional Delegation -- I
24 think back in 1923.

Q Did you visit Manchuria in 1931?

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1 A Yes, in 1929 and also in '31.

2 Q What was the occasion of your visit there in
3 1931?

4 A I went to Manchuria in 1931 to cover the so-
5 called Manchurian Incident for my own paper, the
6 China Weekly Review in Shanghai, and for two other
7 newspapers.

8 Q What were these other papers?

9 A The American paper, was the Chicago Tribune,
10 and the British paper, the Manchester Guardian.

11 Q When did you leave for Manchuria in 1931?

12 A Why on the first boat I could get; I think
13 it was the next day after the Incident.

14 Q Did you go alone?

15 A No. There were a number of correspondents
16 on the boat -- British, American, and, as I remember
17 now, two or three European correspondents, and several
18 Chinese correspondents -- quite a group.

19 Q Where did you go first?

20 A Well, our ship landed at Dairen, and I think
21 we took the night train immediately after landing for
22 Mukden, which was the scene of the trouble, of course.

23 Q Do you recall when you arrived in Mukden?

24 A We arrived in Mukden in the morning; I think
25 it must have been about the 23rd.

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1 Q Of what month?

2 A Of September, 1931, immediately after the
3 so-called Incident.

4 Q What was the condition of Mukden when you
5 arrived there?

6 A Japanese soldiers were in complete occu-
7 pation of the city.

8 Q Do you know anything about the civil govern-
9 ment?

10 A Well, the Japanese Army had created a sort
11 of temporary administration there. I understand Mr.
12 DOHIHARA, then Colonel I believe, or Major DOHIHARA,
13 was Acting Mayor of the City.

14 Q What was the first thing you did after
15 arriving in Mukden?

16 A I think most -- I know that I did -- most
17 correspondents went to the Yamato Hotel, a Japanese
18 hotel within the Japanese city within the so-called
19 railway zone, and we obtained rooms there. I think
20 the next morning I probably ~~went~~ to the American
21 Consulate -- that is the usual procedure, so they
22 will know where you are if you get any inquiries
23 from your home office or get telegrams. In my
24 case I went to the American Consulate.

25 Q Did you visit any military headquarters;

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1 and if so, whose?

2 A The Japanese Military Headquarters was es-
3 tablished in the square within the Japanese Con-
4 cession, just opposite our hotel. General HONJO was
5 in charge. We called at his office and established
6 connection, particularly with the Japanese spokesman,
7 Major DOHIHARA, whom most of us knew -- had known
8 previously.

9 Q Describe, please, your visit to General
10 HONJO's headquarters.

11 A Well, I think upon the first visit to the
12 General's headquarters the most noticeable thing was
13 a pile of wreckage, apparently from a railway, in the
14 hall just outside his office. There was a section of
15 rail that was -- rather one end of it -- rather
16 shattered. There was some iron plates -- fish plates,
17 I think they call them -- where the rails had been
18 joined. There was some bent spikes and sections of
19 some shattered cross-ties, wooden ties. They were
20 piled up in the corridor just outside the office.

21 Q Was there anything else that happened there?

22 A Well, as I remember, we were told that this
23 represented the wreckage, an explosion that had taken
24 place on the railroad the night of September 18.

25 Q Were you given any other information or

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1 anything else at that time?

2 A We were shown pictures of this material that
3 had been taken; also pictures of the section of track
4 where this had taken place, out in the country on a
5 curve a few miles outside Mukden.

6 Q Were you given any pictures at that time?

7 A I don't remember that we were provided --
8 I suppose we could have had them for the asking, but
9 the pictures were shown everyone in order to, I sup-
10 pose, fix in our minds the location and the statement
11 as to what had occurred on that occasion.

12 Q You say this material was all gathered in
13 the corridor outside General HONJO's office?

14 A Yes.

15 Q Did you visit the scene of the alleged ex-
16 plosion?

17 A Yes, a short time afterwards we were taken --
18 I should say all the correspondents there were taken --
19 out to see the place where this had occurred. We
20 were taken in a motor car to the nearest point and
21 walked across the fields, the Kaoliang fields,
22 to where the so-called explosion had taken place.

23 Q Will you describe what you saw there, please?

24 A Well, we -- the wreckage had all been cleared
25 up, and there was a new rail on the outside of the

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1 curve, and I think two new tires had been put in.
2 That we could see quite easily.

3 Q Did you examine the roadbed?

4 A Yes, we examined it rather carefully. We
5 walked up and down the path alongside the right of
6 way, and whatever damage had been created by the
7 explosion had certainly been rectified, because there
8 was no evidence of it. Everything was shipshape. The
9 ballast, if it had been disturbed, had been put back
10 in place.

11 Q What else, if anything, did you observe
12 there?

13 A There were bodies of three Chinese soldiers
14 lying in the pathway alongside the track, I should say
15 within a distance of fifty to one hundred yards from
16 the scene of the explosion.

17 Q Will you continue your answer if you hadn't
18 completed it, please?

19 A These bodies were lying on the pathway along-
20 side the track, and there our attention was called to
21 the fact that their heads were pointing away from the
22 Incident as though they had been running. These
23 bodies had been surrounded by little piles of ties and
24 a heavy piece of corrugated iron put on top to preserve
25 them, apparently. They had been -- the bodies were

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1 lying there. I remember a group of correspondents
2 who -- one of the correspondents examined one of the
3 bodies and told us that he didn't see any evidence
4 of blood; but these bodies were kept there for quite
5 awhile. I made another trip later with another
6 correspondent who came up later. We went out there;
7 the bodies were still there. They were kept there for
8 quite a long period.

9 Q Are you acquainted with Ben Dorfman?

10 A Yes. Mr. Dorfman was a research student, a
11 graduate student of the University of California, who
12 had been in Manchuria for several weeks investigating
13 some economic problem upon which he was basing his
14 Ph. D. Degree. Dorfman is now connected with the
15 United States Tariff Commission in Washington, D. C.,
16 but he was taken on by the Lytton Commission and spent
17 several weeks investigating this Manchurian Incident --
18 that is, the actual explosion on the track.

19 Q Did you make an independent investigation of
20 your own of the alleged explosion?

21 A Only from the standpoint of what I could see
22 at that time. I didn't go into it as thoroughly.
23 I was in contact with Mr. Dorfman, who even went to
24 the extent of interviewing railway conductors and
25 brakeman who were on the train that allegedly passed

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25 brakeman who were on the train that allegedly passed

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1 over this Incident twenty minutes after it had oc-
2 curred -- over this space -- according to the rail-
3 way timetable.

4 Q Did you find any pictures of the Mukden
5 Incident for sale when you arrived there?

6 A Yes, I made a search of photograph shops
7 and -- well, any kind of a shop where pictures were
8 exhibited. -- I found large numbers of pictures of
9 groups of Japanese men in civilian clothes carrying
10 rifles and wearing arm-bands. I collected quite a
11 number of these pictures, which were -- they were
12 printed in my paper in Shanghai; also printed, as
13 I remember, in the Chicago Tribune.

14 Q Did you make any investigation concerning
15 these pictures?

16 A Yes, I was -- I took these pictures, as I
17 remember it, to the American Consulate to get the
18 translator there to translate the inscriptions on
19 the arm-bands, and to find an explanation of it. I
20 might say that the consul in charge in Mukden at that
21 time was Mr. John Carter Vincent, who is now Chairman
22 of the Far Eastern Division in Washington, D. C., at
23 the present time.
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1 Q What did you find the inscription meant?

2 A These inscriptions indicated that these men
3 were reservists, and people at the Consulate and also
4 foreigners who resided -- who were residing in Mukden
5 at that time told us that for several days prior to
6 the so-called "Mukden Incident" there had been large
7 numbers of tourists--male tourists on the streets in
8 Mukden for two or three days prior to the Incident.

9 Q Did you send this story to your papers based
10 on this information?

11 A Yes, and a few hours after the appearance of
12 the Shanghai newspapers, they disappeared off the
13 streets of Mukden and out of the Mukden shops. There
14 were no more obtainable there.

15 Q What was it disappeared, Mr. Powell?

16 A These pictures, I should say.

17 Q Now, do you know Kendall Graham?

18 A Mr. Kendall Graham was the Assistant Manager
19 of the Standard Oil Company in Mukden at the time of
20 the Incident. He had been there some time previously,
21 had been established in Shanghai.

22 Q What, if anything, did you do with him?

23 A Graham took me in his car past the Japanese
24 Military Compound in Mukden, a large area, probably two
25 blocks square fenced with corrugated iron.

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1 Q Well, did you see anything else?

2 A Why, Graham stopped his car at a place where
3 we could, standing on the fender, could look over
4 the fence. He called my attention to two large build-
5 ings in the compound. They looked like barns entirely
6 covered with corrugated iron. The thing that attracted
7 our attention, attracted my attention, he said that he
8 had seen this before since he had been going by there
9 all the time. But the ends of these barns or buildings
10 had been opened up, but the gable part above the door
11 was shattered, long strips of this corrugated iron blown
12 out wrapped out around the top of the building as though
13 a heavy explosion had taken place inside.

14 Graham told me that those buildings had housed
15 the heavy guns or howitzers which the people of Mukden
16 had heard on the night of the occupation, but no one
17 had been able to see on the streets the next day. Those
18 buildings had housed heavy guns which had been brought
19 in as mining equipment according to the story he had
20 heard.

21 Q Were there any press rules that you had to
22 observe in Japanese territory?

23 A Well, we had to follow the usual procedure of
24 depositing our press cards at the telegraph office which
25 is connected with the post office. But, at least at

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8 had seen this before since he had been going by there
9 all the time. But the ends of these barns or buildings
10 had been opened up, but the gable part above the door
11 was shattered, long strips of this corrugated iron blown
12 out wrapped out around the top of the building as though
13 a heavy explosion had taken place inside.

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15 the heavy guns or howitzers which the people of Mukden
16 had heard on the night of the occupation, but no one
17 had been able to see on the streets the next day. Those
18 buildings had housed heavy guns which had been brought
19 in as mining equipment according to the story he had
20 heard.

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22 observe in Japanese territory?

23 A Well, we had to follow the usual procedure of
24 depositing our press cards at the telegraph office which
25 is connected with the post office. But, at least at

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1 the beginning, there was very little interference with
2 the work of the correspondents. Later, however, the
3 we were somewhat restricted and were followed by gen-
4 darmerie agents who would follow us in a car, usually
5 whenever we made any trips. This became rather tiresome
6 and on one occasion I once complained to the Japanese
7 Consulate about it. I think Mr. MORISHIMA who was
8 here the other day was Consul General at that time.
9 Mr. MORISHIMA, I remember, on that occasion assured
10 me that I had nothing to fear from this man, that
11 really he was protecting me from someone else who
12 might cause me great harm he said.

13 Q How long did you let your press cards remain
14 at the telegraph office?

15 A Well, the custom is to leave your press card
16 at the telegraph office until you take a trip to
17 another place. Then you call and get your card and
18 take it to the new place, then deposit it. That is
19 your authority to any messages to your newspaper.
20 That is a well-known custom.

21 Q Did anything unusual ever occur when you
22 picked up your press card at that time?

23 A Yes. On one occasion we were making a trip
24 to Harbin in North Manchuria and I went up with another
25 man to get our press cards and as we were leaving the

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1 building, a clerk followed me outside and told me that
2 he had handled all of my messages and that he generally
3 approved of what I had sent. But, he said, "You must
4 be very careful. Someone may kill you. That was the
5 statement he made.

6 Q Did you learn of any drastic or inhumane tac-
7 tics employed by the Japanese towards the inhabitants
8 of Manchuria?

9 A There were stories in circulation from Chinese
10 sources of villages being wiped out in retaliation
11 for harboring so-called "guerrillas" or "bandits."
12 Those stories were constantly in circulation. I person-
13 ally did not see any of that, but I heard of it.

14 Q Did you report any of these stories or print
15 any of them in your paper, The China Weekly Review?

16 A One such story which was widely printed and
17 reported concerned the killing of some three thousand
18 villagers, some village in Manchuria which had allegedly
19 harbored guerrillas or native forces, and the story
20 was to the effect that the inhabitants of this village
21 had been taken outside to the edge of a gully and
22 machine gunned, and their bodies pushed over into the
23 gully. I remember reporting that story, giving the
24 source which was a Chinese source, of course.

25 Q Was that story printed --

1 THE PRESIDENT: Nothing but well authenticated
2 accounts will be worthwhile, you know that.

3 We recess now for fifteen minutes.

4 (Whereupon, at 1445, a recess was taken
5 until 1500, after which the proceedings were
6 resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 MR. McKENZIE: In connection with the
4 President's remarks just prior to recess, I believe
5 the next two or three questions will clear that matter
6 up.

7 THE PRESIDENT: Apart altogether from the
8 reference to atrocities, this witness has given a
9 number of details which might have led somewhere but
10 which amounted to nothing.

11 BY MR. McKENZIE (Continued):

12 Q What, if any, attempt did you make to in-
13 vestigate or verify that story?

14 A The place where this particular incident had
15 occurred was a long distance from Mukden and in an
16 occupied area where it was impossible for any foreigner
17 to travel at that time, but this particular story, as
18 well as others of a similar nature, not only were
19 reported from Chinese sources but also by mission-
20 aries.

21 Q Was this story relating to the 3,000 victims
22 published in any of the papers, and if so which one?

23 A Yes. This story was carried by the news
24 services and was widely printed in the United States.
25 There was an interesting development in connection

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1 with the story as it appeared in the Chicago Tribune
2 because the Japanese Consul General, whose office was
3 in our building, called on the editor the following
4 day and protested at the publication of this story.

5 MR. BROOKS: If the Tribunal please, I want
6 to object at this time. I don't believe the publica-
7 tion in the papers would add any more credibility
8 than the man who is testifying as to what he heard.
9 It is getting more remote every minute.

10 THE PRESIDENT: On the contrary, it was
11 published in the newspapers and gave an opportunity
12 to the Japanese to contradict it.

13 MR. McKENZIE: I believe the completion of
14 the answer will show the probative value of it, if
15 the Tribunal please.

16 THE PRESIDENT: I repeat, we insist on having
17 authentic accounts.

18 MR. McKENZIE: May the witness be permitted
19 to complete his answer, if the Tribunal please?

20 THE PRESIDENT: We have to trust you to that
21 extent.

22 THE WITNESS: In this case, the editor asked
23 the Consul General to find out exactly what did hap-
24 pen in this particular case where it was alleged
25 Japanese soldiers had killed 3,000 villagers. Some

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1 days later the Chicago Tribune printed an interview
2 with the Japanese Consul General on the front page,
3 the heading of which said, "No massacre; only 3,000
4 killed -- only 300 killed."

5 THE PRESIDENT: You understand, the world
6 heard these allegations. We are here to get the
7 evidence that supports the allegations and you are
8 giving us the allegations over again.

9 MR. McKENZIE: It was my belief that the
10 statement of the Japanese Consul explaining it would
11 make the original statement of some value, at least
12 to the extent of 300, if not the 3,000.

13 THE PRESIDENT: Have you taken the trouble
14 to get the newspaper?

15 MR. McKENZIE: That is the next question, if
16 the Court please.

17 Q Did you receive these newspapers, Mr. Powell?

18 A We have always kept a complete file of all
19 the papers in our files in Shanghai.

20 Q Did you receive the particular papers to
21 which you have just referred?

22 A Yes.

23 Q What became of them?

24 A All of our files were looted on the morn-
25 ing of Pearl Harbor in Shanghai.

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1 Q And you haven't seen your papers or any of
2 your files since that time?

3 A I haven't seen the inside of my office since
4 the morning of Pearl Harbor, about four o'clock on the
5 morning of Pearl Harbor.

6 Q Going back for a moment to the tourists that
7 you described on the streets at Mukden, do you know
8 their nationality?

9 A Well, the so-called tourists were --

10 MR. WARREN: If the Tribunal please, it is
11 clear that he intends to abandon his previous line of
12 questioning. We should like to have the name of the
13 village and the place it occurred and the approximate
14 date of the so-called -- the alleged story in the
15 Chicago Tribune so that the defense may trace its
16 authenticity.

17 THE PRESIDENT: I think you ought to get
18 the newspapers, Judge McKenzie. There must be other
19 copies besides those that the witness possessed and
20 which were destroyed.

21 MR. MCKENZIE: I might say, if the Tribunal
22 please, this thing came up at a late date in the
23 preparation of our case and there wasn't time to
24 attempt to get them from Chicago. I shall be glad
25 to endeavor to do that.

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1 THE PRESIDENT: We want the best evidence, and
2 we won't take mere allegations.

3 Q Going to the question before, I will ask it
4 again: Referring now to the male tourists on the
5 streets of Mukden, do you know their nationality, and,
6 if so, what was it?

7 MR. LOGAN: I object to that, your Honor.
8 It clearly appears from his previous testimony that
9 this witness was not in Mukden at the time these
10 tourists were there.

11 THE PRESIDENT: I regret I was talking to
12 a Member of the Court when you put your question.
13 You might repeat it for my benefit.

14 MR. McKENZIE: The question was: with
15 reference to the male tourists that you testified
16 were seen on the streets of Mukden, can you tell us
17 their nationality?

18 THE PRESIDENT: Well, he only heard they
19 were there and I suppose he only heard what their
20 nationality was, but we are taking hearsay for what
21 it is worth.

22 MR. McKENZIE: You may answer, please.

23 A The tourists were Japanese. The evidence --
24 I didn't see them but I must have collected at least
25 a dozen pictures of them and the evidence was

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1 obtainable from a large number, say at least 200,
2 American and British international residents, includ-
3 ing consuls who were living in Mukden at that time, a
4 great many of whom we saw in connection with our
5 investigation.

6 Q Are you acquainted with Mr. Yuan Chin-Kai?

7 A Yuan Chin-Kai was a well known Chinese resi-
8 dent of Mukden at the time and was being pressed to
9 accept a position in the temporary government which
10 the Japanese were trying to set up immediately after
11 the Mukden Incident. I saw Mr. Yuan Chin-Kai on two
12 or three occasions, on one occasion in the presence of
13 Mr. Farrar, the Spanish Consul General formerly
14 stationed in Yokohama, who was assigned by the League
15 of Nations to make the trip to Mukden to make the
16 initial investigation of the Mukden Incident. On
17 another occasion, I saw this Chinese gentleman in
18 company with Mr. Rowell, Chester Rowell of San
19 Francisco, who was the representative in Mukden of
20 the American Branch of the Institute of Pacific
21 Relations which also sent a man to Mukden to make an
22 investigation.
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Q Do you know what position if any Yuan Chin-Kai held in Mukden at that time?

A I think he was a member of the Feng-Tien Provincial Government.

On both occasions when we interviewed this man we had to go to a secret rendezvous to see him. Complete reports of our interview were sent to the League of Nations through the Spanish Consul General at that time.

Q Did you discuss with him his relations with the Japanese?

A The interview consisted of a description of what had taken place in Mukden on the night of the 18th of September, and the pressure which had been brought on him to accept a position in the temporary government which the Japanese were trying to set up in Mukden at that time.

Q What if anything was said about seeking independence from China?

A His object was to emphasize to us not only what had happened, but that what measures he had taken had been in the interest of the people of Mukden, the Chinese people, who were in a serious predicament as a result of what had happened.

Q Do you know by whom he was succeeded in office?

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1 A I can't think of the man's name. We attended
2 the inauguration of the man who took the job which was
3 offered to this gentleman, Mr. Yuan. I can't think of
4 his name offhand.

5 Q Was there anything unusual occurred at that
6 inauguration, or can you tell us anything about the man
7 who succeeded?

8 A This man had been under detention and was in
9 a nervous, weakened condition at this so-called inaugu-
10 ration. I remember that he was led into the room by a
11 Japanese in military uniform, and that he stood back
12 of a sofa with his hand on the back of the sofa, and he
13 seemed to be steadying himself because he was very weak.
14 During the course of the interview a Japanese photo-
15 grapher took a flashlight picture and this gentleman
16 nearly fainted at the time, he was in such a weakened
17 condition. He had been under detention for quite a
18 long period.

19 Q Did you know General Ma Chan-Shan?

20 A General Ma Chan-Shan was the commander of the
21 Chinese troops in North Manchuria. The Chinese troops
22 in South Manchuria under the direct command of young
23 Marshal Chang Hsueh-Liang had not resisted. The expla-
24 nation always was that Chang Hsueh-Liang and the Chinese
25 administrators in the Mukden Government had been

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1 advised by both the British and American Governments
2 not to resist, that the Manchurian case would go to
3 the League; China would get justice at Geneva.

4 Q Did you interview General Ma Chan-Shan?

5 A Yes.

6 Q Where?

7 A On two occasions; once at the northern town
8 of Tsitsihar which is the capitol of Hei Lung-Kiang
9 Province, the most northern province of Manchuria.

10 Q What became of his army, if you know, after
11 his defeat at Nonne River Bridge?

12 A This interview took place after the battle of
13 the Nonne River in which the Chinese troops had repulsed
14 the Japanese and had delayed their advance by burning
15 a bridge. While the bridge was under repair Ma suc-
16 ceeded in getting most of his troops out and across the
17 Chinese Eastern Railway, which was within the Russian
18 Zone in North Manchuria, up to the town of Tsitsihar
19 which is the metropolis of that northern area. It was
20 in this place that we interviewed him.

21 Q Where did he go from Tsitsihar, if you know?

22 A He withdrew his troops to the north into the
23 forest of the Hsing-An mountain chain, which is an
24 isolated area untouched by railroads or motor roads,
25 leading in the direction of the frontier city of Aigan

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1 which is on the Amur River directly opposite the Rus-
2 sian town of Blagovestchensk.

3 Q What happened then, if anything?

4 A It was at this point that General DOHIHARA,
5 who had been active in Chinese political affairs in
6 Manchuria and elsewhere in China for many years, entered
7 the picture of North Manchuria, which, as I stated be-
8 fore, was within the Russian Zone.

9 MR. WARREN: If the Tribunal please, we should
10 like to object to this line of questioning, or question
11 this witness any further, until first it is established
12 whether this man is testifying from rumors he had re-
13 ceived as a newspaper man, or whether it is from hear-
14 say that he himself received from some source that
15 should have known. In other words, we have no objection
16 to hearsay.

17 THE PRESIDENT: You are entitled to know the
18 name of his informant. Objection upheld.

19 Q Where did you obtain this information with
20 reference to General DOHIHARA?

21 A The succeeding developments in connection
22 with General DOHIHARA were widely reprinted in I should
23 say all of the newspapers in Manchuria. They were also
24 printed in the newspapers of Japan. They were printed
25 in the newspapers of Shanghai, and were the subject of

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1 official reports because General Ma, as a result of
2 the negotiations with DOHIHARA, accepted the position
3 of Minister of War in the Chang-Chun Government, the
4 puppet government, which the Japanese had set up at the
5 time of Chang-Chun.

6 Q Had you completed your answer?

7 A The negotiations leading to these developments
8 were conducted from General DOHIHARA's office which he
9 established in the city of Harbin.

10 Q Did you interview General DOHIHARA there?

11 MR. WARREN: If your Honor please, it is evi-
12 dent that the witness is testifying from rumor. We
13 know of many, many newspaper stories that have been
14 based upon rumor and in which there is no truth, and
15 you have heard testimony concerning one of them today.

16 MR. McKENZIE: I do not believe my last ques-
17 tion can be objected to on grounds of calling for an
18 answer based on rumor.

19 THE PRESIDENT: The objection, of course, goes
20 to weight and not to admissibility. We must take hear-
21 say. But we will take into account the fact that its
22 source was in newspapers. The objection is overruled.

23 MR. McKENZIE: Will you read the last question,
24 please.

25 (Whereupon, the question was read by

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1 the official court reporter.)

2 A I did not interview General DOHIHARA concerning
3 these developments, but I can give you the final chapter
4 in that episode which occurred after I had returned to
5 Shanghai.

6 Q Very well.

7 A After I had returned to Shanghai, necessitated
8 by the outbreak of war at that city, one night in our
9 office I received a long circular telegram which had
10 been distributed, had been sent, by General Ma Chan-Shan,
11 Commander of the Chinese troops in North Manchuria, to
12 Generalissimo Chiang Kai-shek.

13 Q Where is that telegram?

14 A This telegram was circulated to all of the
15 newspapers in Shanghai, and it was circulated from the
16 Russian town of Blagovestchensk.

17 Q No, my question --

18 A How is that?

19 Q My question was, where is that telegram you
20 received?

21 A Well, you could find that telegram if you
22 could find our other papers which were looted from our
23 office on the morning of Pearl Harbor, in Shanghai.

24 Q Will you state the contents of that telegram,
25 please?

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1 A This telegram asserted -- described Ma's
2 activities in accepting, presumably accepting, the job
3 as Minister of Foreign Affairs of the puppet government,
4 that he had received a large sum of money, stated that
5 as a million dollars in gold bars, but that he had taken
6 advantage of this delay and these discussions with Gen-
7 eral DOHIHARA to move his troops up to the border town
8 of Aigan, and had succeeded in getting them across the
9 river into Russian territory, from which point they were
10 sent west and returned to Chinese territory.

11 Q Did he say anything about whom he had obtained
12 the money from?

13 A The money came from Japanese military sources.

14 A Did he use any name?

15 A I don't remember any particular name, except
16 that he had been in negotiations continuously with Gen-
17 eral DOHIHARA who arranged the details.

18 Q Was anything said about his relations with
19 China?

20 A You mean at this particular time?

21 Q In the telegram.

22 A Ma, of course, asserted he was a loyal Chinese
23 citizen. And, as a matter of fact, he is still with
24 the National Government, for a long time was stationed
25 at the important city of Pao Tou which is to the

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1 northwest of Peking. He is somewhere in that area
2 today.

3 THE PRESIDENT: This is a convenient break.
4 We will recess now until half past nine tomorrow
5 morning.

6 (Whereupon, at 1600, an adjournment
7 was taken until Tuesday, 6 August, 1946, at
8 0930.)

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